

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

MARVIN KENT POWELL and
SHAWNA POWELL,

Plaintiffs,

v.

WILBANKS SECURITIES, INC., an
Oklahoma Corporation, and AARON
BRONELLE WILBANKS, individually,

Defendants,

and

Atlas Energy Group, LLC,

Garnishee.

Case No. 5:18-FJ-00003-HE

FILED

OCT 02 2019

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U.S. DIST. COURT, WESTERN DIST. OKLA.
BY N.V. DEPUTY

Continuing Garnishee's Answer/Affidavit

State of Ohio)
County of Summit) SS

I, Joel S. Heizer, (garnishee or individual answering on behalf of
garnishee), in answer to a garnishment summons served on the 14th day of September,
2019, and having knowledge of the facts, hereby swear or affirm:

- **If Garnishee is a Partnership:** That garnishee is _____, a
partnership composed of the following persons:
- **If Garnishee is a Corporation:** That garnishee is a LLC corporation, organized under the laws of the state of
Delaware, and the official title of the person answering on behalf of garnishee is
SVP, General Counsel + Secretary.

1. At the time of the service of the garnishment summons, or upon the date it became effective, the
garnishee was not indebted to the defendant for any amount of money nor did the garnishee have
possession or control of any property, money, goods, chattels, credits, negotiable instruments or effects
belonging to the defendant or in which the defendant had an interest because the
employee/individual/defendant was: (Please check appropriate response)

Other (specify): _____

2. May be At the time of service of the garnishment summons or upon the date it became effective, the garnishee
may have was indebted to the defendant or ~~had~~ possession or control of the following property, money, goods,
chattels, credits, negotiable instruments or effects belonging to the defendant as follows: (Please check
appropriate response)

X Other (specify): Distribution interest of defendants' interest in Atlas Resources Series 32-2012
L.P. and Atlas Resources Series 33-2013 L.P., to the extent production revenues exceed production
expenses; which distributions, if any, are paid quarterly.

3. Nothing has been withheld due to a prior garnishment or continuing garnishment which will expire on _____ and is in Case Number _____ in the District Court of _____ County, Oklahoma.

4. On Oct. 1, 20 19, the garnishee mailed a copy of the Notice of Garnishment & Exemptions and Application for Hearing by first-class mail to the Defendants at:

Address 4334 NW Expressway, Suite 222

City Oklahoma City

State Oklahoma Zip 73116

Date Mailed 10-1-19

Or, hand delivered the same to defendant at:

Defendant _____

Place _____

Note: This must be done during each period in which the garnishment is in effect.

5. The garnishee makes the following claim of exemption on the part of the defendant, or has the following objections, defenses, or setoffs to plaintiff's right to apply garnishee's indebtedness to defendant upon plaintiff's claim:

_____ Check here ☐ if additional pages are necessary.

By: Joel S. Nunez

Date: 10-1-19

Title: SUP, General Counsel + Secretary

Subscribed and sworn to before me on this 15th day of October, 20 19.

Denise M. Starkey

Notary Public

My commission expires: N/A



DENISE M. STARKEY

Attorney At Law

Notary Public, State of Ohio

My commission has no expiration date

Note: A continuing garnishment remains in effect until one of the following occurs: (1) the judgment is vacated, modified or paid in full; (2) the summons is dismissed; or (3) 180 days from the effective date of the summons have elapsed. If a pay period begins within 180 days but ends after the expiration, the pay period is subject to the garnishment. See 12 O.S. § 1173.4.

When completed, **mail original answer to:** the Court Clerk of the United States District Court for the Western District of Oklahoma at the following address:

200 NW 4th Street

Oklahoma City, OK 73102

Please Note: You must send your check for the amount garnished with a copy of your answer to the attorneys named below. The check shall be made to the attorneys' trust account, "RG Busch PLLC COLTAF Account"

Attorneys for Judgment Creditor:

Nicholas M. Tait and Rob G. Busch

RG Busch PLLC

P.O. Box 3931

Greenwood Village, CO 80155

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